

SEP 25 2006

446.016-DIV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: :  
PEYMAN et al : Examiner: T. Truong  
Serial No.: 10/808,496 :  
Filed: March 24, 2004 : Group: 1624  
For: NAPHTHYRIDINE...THEM :

Hedman and Costigan  
1185 Avenue of the Americas  
New York, NY 10036  
September 25, 2006

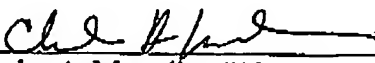
**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request the Examiner to examine claim 11 with claims 1 to 6 and 8. The Examiner in the advisory action held for the first time that claim 11 was not being examined because a constructive election of the compound claims had been made in the first action. However, claim 11 had been examined in the final rejection and so the Examiner has examined claim 11 already without difficulty. Therefore, rejoinder of claim 11 is requested.

Respectfully submitted,  
Hedman and Costigan

  
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CAM:mlp